

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL ALEXANDER,)
)
Plaintiff,) **Case No. 1:22-cv-338**
v.)
)
ACCEPTANCE NOW, *et al.*)
)
Defendants.)

MEMORANDUM ORDER

The within *pro se* civil action was initiated in the Court of Common Pleas of Erie County, Pennsylvania by Plaintiff Michael F. Alexander against thirteen Defendants, including American Express. The matter was removed to this Court on November 4, 2022. ECF No. 1.

Plaintiff's complaint alleges that the Defendants violated his rights under the Fair Credit Reporting Act 15 U.S.C 1681, *et seq.*, the Fair Debt Collection Practices Act, 15 U.S.C. 1692, *et seq.*, and the Equal Credit Opportunity Act, 15 U.S.C., §1691. The matter has been referred to Chief United States Magistrate Judge Richard A. Lanzillo for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Civil Rule 72.

On December 20, 2023, Chief Judge Lanzillo issued a report and recommendation ("R&R") in which he opined that the claims against American Express should be dismissed without prejudice due to Plaintiff's failure to effectuate service, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Judge Lanzillo's R&R discussed in detail Plaintiff's continuing failure to submit service papers and his inability to establish good cause for an additional extension of time.

Objections to the R&R were due on or before January 8, 2024. To date, no objections have been filed.

Accordingly, after *de novo* review of the complaint and documents in the case, along with the Chief Magistrate Judge's Report and Recommendation,

IT IS ORDERED, this 18th day of January, 2024, that all claims in this case against Defendant American Express shall be, and hereby are, DISMISSED without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Report and Recommendation of the Chief United States Magistrate Judge Richard Lanzillo, issued on December 20, 2023, ECF No. [87], is adopted as the Opinion of this Court.



Susan Paradise Baxter
United States District Judge